

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

KAJEET, INC.,

Plaintiff,

v.

LUMEN TECHNOLOGIES, INC.,

Defendant.

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CIVIL ACTION NO. 6:21-cv-705

JURY TRIAL DEMANDED

PLAINTIFF’S UNOPPOSED MOTION TO SUBSTITUTE
DEFENDANT LUMEN TECHNOLOGIES, INC.

Plaintiff Kajeet, Inc. (“Plaintiff”) makes this motion seeking the substitution of CenturyLink Communications, LLC d/b/a Lumen Technologies Group (“CenturyLink”) as a Defendant in place of Defendant Lumen Technologies, Inc. (“Lumen”).

1. Plaintiff filed this action for patent infringement against Lumen on July 7, 2021.
2. Since that time, counsel for Lumen contacted counsel for Plaintiff to explain its position that Lumen does not actually make or distribute the products that Plaintiff has accused of patent infringement.
3. Accordingly, counsel for Plaintiff and counsel for Lumen have agreed that CenturyLink Communications, LLC, a subsidiary of Lumen, is the proper party to this litigation and should be substituted for Lumen as a defendant in the above-captioned matter so that all claims made against Lumen are made against CenturyLink Communications, LLC. Plaintiff thereby agrees to voluntarily dismiss Defendant Lumen Technologies, Inc. without prejudice.
4. CenturyLink Communications, LLC is a limited liability company, organized under the laws of the State of Delaware, with a principal place of business in Monroe, Louisiana.

5. In light of this change of Defendant, the parties hereby further agree that Defendant CenturyLink Communications, LLC's response to the complaint will be filed within 7 days after the Court's ruling on this motion.

6. No prejudice results from substitution of this party because Lumen has not yet answered, discovery has not commenced, and no scheduling or party joinder orders are in place.

Dated: September 14, 2021

Respectfully submitted,

/s/ Corby R. Vowell
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ATTORNEYS FOR KAJEET, INC.

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of September, 2021, I electronically filed the foregoing document with the clerk of the court for the United States District Court, Western District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Corby R. Vowell

CERTIFICATE OF CONFERENCE

I hereby certify that I have complied with the meet and confer requirements in Local Rule CV-7(i) and this Motion is not opposed.

/s/ Corby R. Vowell